

DISTRICT JUDGE'S CIVIL MINUTES
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA – PHOENIX

U.S. District Judge: Neil V. Wake

Date: July 6, 2018

Case Number: CV-15-01132-PHX-NVW

Flake, et al v. Arpaio, et al

APPEARANCES: Plaintiff(s) Counsel
Stephen G. Montoya
Richard J. Trujillo

Defendant(s) Counsel
Jeffrey S. Leonard
Stephen M. Dichter
Evan Hiller
JP Harrington Bisceglia

FINAL PRETRIAL CONFERENCE:

1:59 p.m. This is the time set for further final pretrial conference.

The Court notes that the trial will recess the morning of July 17, 2018 to accommodate Mr. Leonard's availability.

Discussion held regarding federal constitutional claims.

Defendants advise that they withdraw their Motion to Strike Plaintiffs' Reply (Doc. 300).

For reasons stated on the record, the trial set for July 9, 2018, is vacated, to be reset later if needed. By a separate order the Court will order Plaintiff to show cause pursuant to Rule 56(f) why summary judgment should not be entered in favor of the remaining Defendants against the Plaintiff for the reasons stated in open court and to be stated in the separate order.

IT IS ORDERED that Plaintiffs file their evidence in response to the Rule 56(f) order and any briefing they wish by no later than **5:00 p.m. on July 13, 2018**. Defendants may file any other evidence and any brief by **noon on July 19, 2018**. No reply evidence is allowed. Local Rule 56.1.

IT IS FURTHER ORDERED setting Oral Argument on the Rule 56(f) order for **1:30 p.m. on July 20, 2018**, which the Court may vacate after reviewing the parties' filings.

IT IS FURTHER ORDERED vacating the jury trial set for July 9, 2018. Trial will not be reset at this time. **IT IS FURTHER ORDERED** that all trial subpoenas are continued to the date to be reset for trial.

2:51 p.m. Court is adjourned.

Deputy Clerk: Rebekka Walder
Court Reporter: Jennifer Pancratz

60 minutes
Start: 1:59 PM
Stop: 2:51 PM